

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

AAEON Electronics, Inc., a New Jersey
corporation,

Plaintiff,

v.

NEC Display Solutions of America, Inc., a
Delaware corporation.

Defendant.

Case No. 1:21-cv-04397

Hon. Robert M. Dow, Jr.

Magistrate David Weisman

JOINT STATUS REPORT

The parties jointly submit the following status report as per order of this court dated February 24, 2022. (*See* February 24, 2022 Minute Entry, Dkt. 39).

BACKGROUND

On February 8, 2022, Judge Dow held a telephonic motion hearing on Defendant NEC Display Solutions of America, Inc. (“NEC”) motion to compel. At the hearing, counsel for AAEON Electronics, Inc. (“AAEON” or “Plaintiff”) advised it would produce discovery responses no later than Friday, February 11, 2022, and the Court requested that NEC file a status report if AAEON failed to produce discovery by that date. NEC filed a status report with the Court on February 18, 2022, two weeks after the hearing on NEC’s motion to compel, informing the Court that AAEON still had not produced discovery. (*See* NEC Status Report, Dkt. 35). NEC requested the Court re-set the motion to compel for a hearing on February 22 or 23, 2022 or to otherwise resolve the pending motion to compel. (*Id.*)

On February 21, 2022, the parties were informed that NEC's motion to compel was referred to Magistrate Judge Weisman. (*See* February 21, 2022 Minute Entry, Dkt. 37). The case was also referred to Judge Weisman for the purposes of conducting a settlement conference, discovery supervision and all other discovery motions. (February 24, 2022 Minute Entry, Dkt 39). On February 24, 2022, this Court ordered the parties to file a joint status report, informing this Court of the status of plaintiff's discovery responses and whether parties are interested in a settlement conference. (*Id.*)

I. Status of Discovery

As set forth in its motion to compel, NEC served interrogatories and requests to produce documents on AAEON on November 30, 2021. NEC also served its second set of interrogatories and requests for production, its first set of requests for admission, and a Rule 30(b)(6) deposition notice on January 25, 2022.

On February 24, 2022 at 10:51 p.m., AAEON responded to NEC's first set of requests for admission, first set of interrogatories, first set of requests to produce, and provided NEC with an initial document production. After a preliminary review, NEC does believe portions of AAEON's responses and production are inadequate. NEC has not had the opportunity to thoroughly review the responses and production as of the filing of this Joint Status Report. The parties held a preliminary meet and confer on February 25, 2022 to discuss the deficiencies and agreed to discuss them further on Monday, February 28, 2022, after NEC has had an opportunity to review the responses and production more thoroughly. The parties will provide this Court with an update on their discussions regarding the adequacy of the discovery responses at the status hearing on March 1, 2022. AAEON's responses to NEC's second set of interrogatories and requests for production

are still outstanding but are not due until February 25, 2022. AAEON has also not yet provided NEC with dates for a Rule 30(b)(6) deposition.

II. Settlement Conference

The parties have discussed mediation but NEC believes it needs time to review AAEON's discovery responses before committing to a settlement conference. NEC will be able to provide the Court with an update on its settlement conference position at the hearing on Tuesday.

Dated: February 25, 2022

Respectfully submitted,

Sharp NEC Display Solutions of America, Inc.,

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